

# On Deuteronomy 24:14-15: Judaism and Ethical Working Conditions

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Wisconsin Faith Voices for Justice

## Deut. 24:14-15

**<sup>14</sup> Do not take advantage of a hired worker who is poor and needy, whether that worker is a fellow Israelite or a foreigner residing in one of your towns. <sup>15</sup> Pay them their wages each day before sunset, because they are poor and are counting on it. Otherwise they may cry to the LORD against you, and you will be guilty of sin. (NIV)**

Judaism has a long history of support for worker justice. From earliest Biblical times through today, the rights and welfare of the worker has been a central concern. The foundational story of Judaism is rooted in the account of 400 years of slavery in Egypt that ended in the redemption of the Hebrew people by Moses and Aaron. The experience of slavery colored the development of Jewish identity and jurisprudence throughout the next three thousand years to the present day.

The constant refrain we read throughout the Biblical text, and repeated in the annual retelling of the Passover story, reminds us to be kind to the stranger in our midst, for ‘you were strangers in the land of Egypt’ (Ex. 22:21 et al). From here evolves a body of law that today we characterize as social justice legislation, including justice for the laborer. For just as we Jews know what it was to be enslaved in Egypt, so we should have empathy for the workers among us. Since we know what it is to be oppressed, we should ensure that we do not become oppressors. Therefore, our tradition is filled with laws safeguarding the rights of the worker.

The Holiness Code of Leviticus 19 admonishes us – “The wages of a hired man are not to remain with you all night until morning” (Lev. 19:13). This command is given immediately after the admonishment – “You shall not oppress your neighbor, nor rob him.” In this context, it becomes clear that failing to pay a worker right away is a form of oppression and the equivalent of robbing him.

Our text from Deuteronomy amplifies and clarifies the reasoning behind the Leviticus verse.

**<sup>14</sup> Do not take advantage of a hired worker who is poor and needy, whether that worker is a fellow Israelite or a foreigner residing in one of your towns. <sup>15</sup> Pay them their wages each day before sunset, because they are poor and are counting on it. Otherwise they may cry to the LORD against you, and you will be guilty of sin.” (Dt. 24:14-15).** Deuteronomy explains the vague requirement of the Leviticus text – the employer is not just forbidden to hold wages until morning, but more specifically, he must pay before the sun goes down. Why is this timeframe important? Because, the text tells us, workers have no reserves or other resources to pay their bills and meet their needs. A worker may not otherwise be able to buy himself dinner, or pay for a place to sleep that night, unless he has received his day’s wages. Nor does it matter if they are citizens or immigrants or strangers. All must be treated with equal justice.

Jewish law did not stop with the Torah. The ancient rabbis from the second century BCE to the sixth century CE argued and debated the meanings and application of the ancient text to changing times. Their debates were brought together in works known as the Mishnah (Teaching)

and the Gemara (Completion), together known as the Talmud. A tractate of the Talmud devoted to tort law, Bava Metziah, issues a strict injunction against oppressing the worker – “One who withholds an employee's wages is as though he deprived him of his life” (Bava M’tzia 112a). A worker’s wages are the means by which she supports herself – feeds, clothes, houses herself, pays for health care. A delay in receiving wages could result in an inability to meet these basic needs, a delay which could be life-threatening. And so, withholding wages becomes equivalent to murder.

Withholding wages is not the only way in which an employer can abuse a worker. Jewish law recognizes this and addresses other types of abuse. In another section of Bava Metziah, the issue of reasonable work hours is raised. “If the employer says, ‘I raised your wages in order that you would begin early and stay late,’ the workers may reply, ‘You raised our wages in order that we would do better work’” (Bava M’tzia 83a). Clearly, the rabbis of antiquity understood that wages alone are not the only issue involved in fair labor practices. Just because an employer pays a worker, this does not entitle the employer to exploit the worker or treat the employee like a slave. The employee must be allowed reasonable work hours that also allow for a life outside of work. The employer is entitled to the best work the employee can provide, but only within the confines of the normal work-day.

Concern for the worker continued into the middle ages. Rabbi Judah ben Samuel of Ratisbon (Regensburg, Germany), writing in the thirteenth century in *The Book of the Pious* (Sefer Hasidim), understood that an employer is not entitled to harass, insult, or intimidate his workers. Rabbi Judah wrote, "To vex people who are coping with difficulties is an iniquity and a cause for punishment. Those people (workers) are sufficiently burdened already, as a matter of course, without that added affliction, as it is written in Lev. 25:53, you shall not rule over him (your worker) ruthlessly."

In Judaism today, worker justice continues to be an issue of great concern. The Union for Reform Judaism and the Central Conference of American Rabbis (the professional organization for Reform Rabbis) both have a long history of resolutions in favor of the right to organize, fair labor practices, living wages, the end to sweatshops, and other issues. Resources on worker justice from the Reform Movement can be found at <http://www.rac.org/site-search?keyword=worker+justice>

### **Questions for study:**

1. Describe a time when you were mistreated in your workplace. How would you have liked to change that situation?
2. In what ways is mistreatment of low-wage workers akin to slavery?
3. In what other ways could withholding wages equate with taking the worker’s life?
4. Read the story below. What is the connection between ethical eating and worker justice? What are some ways we can take into account worker justice in our eating habits? Our buying habits?

## Worker Justice and Ethical Kashrut

Once it happened, as Passover neared, that Rabbi Israel Salanter (founder of the Jewish *Musar* (ethics) Movement) came to a matzah factory to judge its fitness to receive a kosher certificate. Without that certificate, the matzah factory would be out of business. The owner of the factory wasn't worried, however. He was certain his factory would be certified kosher for Passover. He had instituted new protocols of efficiency that he was sure would impress Rabbi Salanter. Rabbi Salanter came in and observed the process in action. When the matzah was finished and the owner proudly presented it to Rabbi Salanter, the rabbi told the owner the matzah could not be certified as kosher. The owner was shocked. "Why, what's wrong with my matzah?" Rabbi Salanter replied, "The matzah has blood in it, and nothing with blood in it can be certified kosher." "Blood? There's no blood in my matzah!" exclaimed the factory owner. "The way you press your workers and the demands you place on them to be ever more 'efficient' in their work, shows that their blood is in every piece of matzah they produce, and therefore I cannot consider this matzah kosher."

Workers' rights and welfare has always been paramount in Jewish law and ethics. From safety issues, to fair working hours, to living wages, to being treated with dignity and respect, all these are integral to the ethical underpinnings of Jewish law on how we treat our workers. Last week, (the week of March 16, 2014) Jews around the world read the Torah portion in Leviticus that lists the animals that are considered kosher and those that are considered *treyf* (unkosher). Today many Jews still follow those ancient laws of *kashrut*, keeping kosher. Others look to the kosher laws and imbue them with new meaning – **ethical kashrut**. For some, this means eating vegetarian or vegan. For some it means eating locally. For some it means eating organic. And for many Jews today, ethical kashrut includes paying attention to who grows our food, who picks our crops, who works in our food factories. It means caring about farm and food industry workers being treated fairly, making a fair wage, working in safe conditions, and being able to support their families in dignity.

Today our state, and our country, is facing a situation where economic injustice is rampant. CEO's make wages hundreds of times greater than their workers. Low-income workers are forced to work two or three jobs just to make ends meet. Food stamps and unemployment benefits are cut just when people need them most. As we approach this Passover, as Jews all over meditate on the meanings of slavery and freedom, of having enough to eat or not having enough, let us all pledge to work together to build a fairer, more just, and more equitable society.

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